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Chairman: Mr. Baja ..... (Philippines)

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The meeting was called to order at 3 p.m.

Agenda item 156: Measures to eliminate international terrorism *(continued)* (A/58/37, A/58/37/Corr.1, A/58/116, A/58/116/Add.1, A/58/78-S/2003/541, A/58/94-S/2003/642, A/58/131-S/2003/703, A/58/271-S/2003/808, A/58/302, A/58/315-S/2003/845, A/58/361-S/2003/877, A/58/390-S/2003/916, A/58/424-S/2003/972, A/58/425-S/2003/976 and A/C.6/58/L.10)

1. **Mr. Senanayake** (Sri Lanka) noted that despite the efforts made to combat international terrorism, the number of innocent victims continued to rise. After 20 years of terror in its own territory, Sri Lanka was finally at peace thanks to his Government's unshakable political will and spirit of compromise in face of seemingly insuperable obstacles.

2. Convinced that the United Nations must be at the centre of all decisions taken towards the resolution of problems that concerned the whole of mankind, his country had on 23 September 2003 ratified the Convention on the Safety of United Nations and Associated Personnel. It had committed itself without reservation to the support of the Ad Hoc Committee established by General Assembly resolution 51/210 and had undertaken to participate actively in the preparation of a draft comprehensive convention on international terrorism and of a draft international convention on the suppression of acts of nuclear terrorism. In that connection, Sri Lanka called upon all States to show the political will needed in order to break the current deadlock in the Ad Hoc Committee's work as swiftly as possible.

3. Sri Lanka was also actively collaborating with the Counter-Terrorism Committee, to which it had already submitted three reports. It was in process of incorporating the provisions of the International Convention on the Suppression of the Financing of Terrorism and of Security Council resolution 1373 (2001) in its domestic law, as a result of which it would be able to freeze assets intended for financing terrorism and to suppress money laundering. Being a party to 10 of the 12 international instruments relating to terrorism, his country was determined to pursue its dialogue and cooperation with the Counter-Terrorism Committee.

4. At the regional level, Sri Lanka had taken the initiative of convening, in Colombo in August 2003, a meeting of the South Asian Association for Regional Cooperation (SAARC), at which progress had been made in the drafting of an additional protocol to the SAARC Regional Convention on the Suppression of Terrorism, whose purpose was to incorporate in the Convention the obligations contracted under Security Council resolution 1373 (2001) and the International Convention on the Suppression of the Financing of Terrorism.

5. In conclusion, he said that, given the linkage existing between terrorism, drugs and arms trafficking, money laundering and transnational crime in general, it was imperative that all States should scrupulously discharge their international obligations and should coordinate their efforts at the national and regional levels in order to enhance the efficacy of the fight against those threats to international peace and security.

6. **Mr. Guterres** (Timor-Leste), while recognizing the need to tackle the root causes of terrorism, agreed with the Secretary-General that poverty was not the only cause of the evil. Denial of human rights and fundamental freedoms could also sometimes provoke the violence of members of networks having considerable financial resources at their disposal. A multidisciplinary and multisectoral approach should therefore be adopted at all levels in order to eliminate the deeper causes of the violence that lay at the root of terrorism. The twelve existing international instruments represented the arsenal at the international community's disposal in waging that struggle strictly within the limits of human rights and international humanitarian law. States were in duty bound to strengthen those instruments by ratifying them and fully implementing their provisions, as his country solemnly undertook to do.

7. He welcomed the work done by the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 with a view to drafting a comprehensive convention on international terrorism and a draft international convention on the suppression of acts of nuclear terrorism, and was convinced that, given the importance of the matter and the urgency of the international situation, that work would soon culminate in consensus.

8. Although its own efforts were concentrated on creating a nation founded upon democracy, justice and the rule of law, his country was aware of the responsibility incumbent upon it, as upon other small States, to take the necessary steps at the domestic level to implement internationally recognized standards and to set up preventive machinery with a view to ensuring stability and security at the national, regional and global levels. To achieve those ends, Timor-Leste, like other developing countries, needed both bilateral and multilateral technical assistance of a sustained kind. Since its independence in 2002, his country had already signed cooperation agreements with neighbouring States and was enjoying the assistance of the United Nations Mission of Support in East Timor. It intended to continue along that path, for only by working jointly towards international peace and security and towards the attainment of the goals of freedom and justice set out in the Millennium Declaration could members of the international community win the battle against terrorism.

9. **Mr. Lwin** (Myanmar), associating himself with the statement made by Vietnam on behalf of the Association of Southeast Asian Nations (ASEAN), recalled that his country had not been spared by terrorism. Myanmar was determined to fight acts of terrorism whoever might be their perpetrators and wherever they might take place.

10. With reference to the work of the Ad Hoc Committee established by resolution 51/210, he said that, notwithstanding the existence of numerous instruments and despite the problems encountered in seeking a definition that distinguished between terrorism and the right of peoples to self-determination, a comprehensive convention on international terrorism remained a necessity if individuals who perpetrated acts of terrorism in one country were not to remain unpunished provided they found refuge in another.

11. Furthermore, the international community must imperatively tackle the question of poverty as a root cause of terrorism, for while it was true that poverty alone did not engender violence, it was nevertheless a contributory factor. It was therefore essential that Member States should, as provided in the Millennium Declaration, work together towards the elimination of poverty.

12. Myanmar had ratified several of the 12 international anti-terrorism instruments, including, most recently, the Convention on the Suppression of Terrorist Bombings and the International Convention on the Suppression of the Financing of Terrorism. It also participated in the regional struggle against terrorism within the framework of the Association of Southeast Asian Nations.

13. **Mr. Kobayashi** (Japan) said that the struggle against terrorism presupposed widespread international cooperation, particularly with a view to enhancing the existing framework of international law. It was therefore important that all States should become parties to the conventions in force, which obliged them to judge or extradite the perpetrators of terrorist acts.

14. By ratifying the International Convention on the Suppression of the Financing of Terrorism, his country had become party to the twelve existing international anti-terrorism conventions, and it intended to continue its collaboration with the Counter-Terrorism Committee by offering its assistance to all countries that might need it. Japan was in favour of the adoption of new instruments that would enable terrorists to be brought to justice whatever the nature of the acts perpetrated. It therefore unreservedly supported the preparation of a draft comprehensive convention on international terrorism and of a draft international convention on the suppression of acts of nuclear terrorism. Despite the difficult problems that remained to be surmounted, Japan hoped that a consensus would shortly emerge and that the General Assembly would adopt the drafts in question, thus enhancing the framework of existing international law on the suppression of terrorism.

15. **Mr. Al-Shubaili** (Saudi Arabia), associating himself with the statement made by the representative of the Islamic Republic of Iran on behalf of the Organization of the Islamic Conference, recalled that his country, which had itself been a victim of terrorism, had always condemned that evil in all its forms and manifestations.

16. At the national level, Saudi Arabia had adopted laws designed for the severe suppression of terrorism and the prevention of the financing thereof. At the international level, it had supported all the Security Council's resolutions and had actively participated in all the international community's initiatives; it had been among the first to sign the Arab League's Arab Convention on the Suppression of Terrorism and the Convention on the Struggle against International

Terrorism of the Organization of the Islamic Conference, and was a party to many other anti-terrorist conventions.

17. Highly important as cooperation was, the adoption of an integrated approach taking account of the political, economic and social aspects of the phenomenon was no less so. Such conditions as occupation, oppression, injustice and the absence of hope for a just solution could all be exploited by the partisans of extremism and violence to advance their cause among populations, especially the young. Thus, Israel's 35-year occupation of Palestine created a vicious circle that would only be broken when the Palestinian people's legitimate rights, recognized by the international community and by United Nations resolutions, were at last respected. Yet the undertakings of successive Israeli Governments to respect those rights in accordance with agreements signed over the years were not complied with, as witness the continuing Israeli occupation of Palestinian territory and Israel's treatment of the Palestinians and their legitimate leaders.

18. In conclusion, he said that his delegation firmly supported the international struggle against terrorism but refused to allow that struggle to serve as a pretext for depriving peoples living under occupation of their right to self-determination.

19. **Mr. Kanu** (Sierra Leone) remarked that despite the counter-terrorism measures taken by the international community since the 1960s, including the adoption of 12 sectoral conventions and the holding of a special session of the General Assembly, it had not been possible to prevent the events of 11 September. A multilateral approach focused on identifying the root causes of terrorism and concerted action by the entire international community were needed in order to combat the phenomenon, whose intensity was growing on a planetary scale.

20. To that end, his country had supported all measures adopted by the United Nations and all mechanisms set up for the suppression of terrorism, in particular the Counter-Terrorism Committee, to which it had submitted a report setting out in detail the initiatives it had taken at the national level in pursuance of resolution 1373 (2001), including the establishment of a high-level national anti-terrorist committee, the adoption of laws for the suppression of terrorism and money laundering, and the ratification of all relevant major international instruments.

21. His delegation considered, however, that it was urgent to enhance the existing framework of international law by completing the drafting of a comprehensive convention on international terrorism and of an international convention on the suppression of acts of nuclear terrorism. It regretted that a comprehensive definition of terrorism acceptable to all had not yet been found. For its part, it was prepared to be flexible on paragraph 2 of article 18 of the draft comprehensive convention on terrorism in the hope that progress could be achieved in the ongoing negotiations concerning that part of the draft.

22. **Mr. Hmoud** (Jordan) said that terrorist acts, which were on the increase - inter alia in terms of the human and material losses they caused - had created a new worldwide reality that called for a clear and comprehensive strategy.

23. In the elaboration and implementation of such a strategy, the United Nations was called upon to play a central role. The struggle against terrorism could not hope to yield positive results unless it was based upon active cooperation between States and a clear orientation on the part of the United Nations. The strategy adopted within the United Nations framework must therefore be founded upon a certain number of principles and upon complementary action by different United Nations organs, in particular the Security Council and the Counter-Terrorism Committee, on the one hand, and the General Assembly on the other.

24. The Security Council, responsible principally for the maintenance of international peace and security, could take steps that were obligatory for States, but the question of international terrorism also had numerous political, social and legal aspects with which the Council could not deal by itself. The General Assembly had adopted many resolutions on the question of terrorism, but given the way in which the situation was developing it was obliged to consider new measures that would reflect the essential role it was called upon to play in defining a comprehensive framework in the field of counter-terrorism.

25. The numerous conventions and other international instruments relating to the anti-terrorism struggle were the fruit of sustained efforts within the General Assembly and had had considerable effect on the measures taken by States, as well as in terms of

extensive international cooperation in the anti-terrorism struggle. The Security Council and the Counter-Terrorism Committee would not have been able to achieve concrete and rapid results without the corpus of laws constituted under the auspices of the General Assembly. In order to maintain the international mobilisation against terrorism, there was need for resolute action on the part of the General Assembly, which in turn presupposed the early adoption of the draft comprehensive convention on terrorism and of the draft international convention on the suppression of acts of nuclear terrorism.

26. As the Jordanian Minister of Foreign Affairs had stated at the opening of the current session, Jordan would do everything in its power to ensure the rapid adoption of those two conventions, and the Jordanian delegation would redouble its efforts to seek legal and technical solutions capable of surmounting the difficulties that stood in the way of their adoption.

27. His delegation's position in the negotiations on the two drafts was based on three factors. First, the legal mechanisms resulting from the negotiations had to be effective, which meant that the legal framework of their adoption had to be clear and precise. Secondly, the nature of terrorist acts did not change with the motive behind them. The two conventions must qualify them as crimes irrespective of the political ends for which they were committed, and such criminalisation had to apply to the perpetrator of the act whatever his position or status. Lastly, international law and international humanitarian law drew a distinction between what constituted a terrorist act and what was a legitimate act committed in the exercise of rights conferred upon States, peoples and individuals by international law. The two conventions must not challenge those rights and must not lend themselves to being used in order to justify acts contrary to international law.

28. Adoption of the comprehensive convention would facilitate the defining of a clear strategy for the anti-terrorism struggle because the additional obligations imposed by the convention could be directly linked with the execution of Security Council measures and because the convention's definition of terrorist acts would assist States in taking measures at the national level, as well as measures relating to judicial and administrative cooperation with States and other international parties concerned. However, the legal edifice thus constituted would not be able to eliminate international terrorism by itself alone. The factors contributing towards the phenomenon must also be tackled. To that end, the United Nations must take into consideration, in full impartiality, the views of States and other parties concerned concerning the manner in which terrorism should be eliminated.

29. In any event, his country - whose awareness of the problem predated that of others because of its proximity to the events in the Middle East region - was continuing to strengthen its machinery for the prevention and suppression of terrorism. The national laws and regulations adopted to that effect imposed extremely heavy sanctions upon the perpetrators of terrorist acts and defined the modalities of legal and administrative mutual assistance with other States, as well as with the Counter-Terrorism Committee and the Committee established by Security Council resolution 1267 (1999). Jordan had also recently ratified the International Convention on the Suppression of the Financing of Terrorism and intended shortly to ratify three other conventions which it had already signed.

30. **Mr. Qi Dahai** (China) said that the international community had become aware of the urgent need to intensify cooperation between States in the anti-terrorism struggle. His country, which had always opposed the use of terror for political ends, wanted the United Nations to play a central role in that struggle, which must respect the purposes and principles of the Charter as well as other rules of international law.

31. China, which was a party to 10 of the 12 international instruments in force in the field of counter-terrorism and had taken active part in the Sixth Committee's work in connection with the two draft international conventions on that subject, intended to continue to cooperate with the rest of the international community with a view to enhancing the convention-based legal framework of the counter-terrorism struggle.

32. His delegation endorsed Egypt's proposal for the holding of a high-level conference on the counter-terrorism struggle under the auspices of the United Nations, but wished to emphasize the need for adequate preparation and for a precisely defined conference agenda.

33. **Ms. Randrianarivony** (Madagascar) said that her Government, aware of the seriousness of the threat, had undertaken firm commitments with regard to its participation in the counter-terrorist struggle and in

international cooperation in that field at both bilateral and multilateral levels.

34. Madagascar was now party to all 12 international conventions on terrorism and had taken steps to bring those instruments into force within its domestic legislation. As a member of Interpol, it had at its disposal an early-warning system enabling it to exchange information with other States. It welcomed the entry into force of the United Nations Convention against Transnational Organized Crime and its protocols, which constituted the necessary legal framework for combating activities such as money laundering and corruption, a matter of the greatest importance given the growing links between transnational organized crime and terrorist crimes. Her country had been among the first signatories of the Convention and was embarked upon the process of its ratification.

35. At the regional level, Madagascar had ratified the OAU Convention on the Prevention and Combating of Terrorism and had associated itself with all initiatives taken by the African Union with a view to contributing towards worldwide action in that field. It also participated in cooperation and information exchange activities conducted within the framework of the Indian Ocean Commission in connection with the prevention and suppression of crime, in particular drug trafficking.

36. Her delegation considered that there was an imperative need to reflect upon the causes of terrorism, and therefore supported the proposal to convene, under United Nations auspices, a high-level conference for the purpose of outlining the international community's common response to terrorism in all its forms and manifestations.

37. Lastly, she expressed the hope that a consensus would rapidly emerge on the draft comprehensive convention on international terrorism and on the international convention on the suppression of acts of nuclear terrorism.

38. **Mr. Nguyen Duy Chien** (Vietnam), speaking on behalf of the ASEAN countries, said that the fight against international terrorism called for concerted efforts in which the United Nations had a central role to play by ensuring that the Charter of the United Nations and the fundamental principles of international law were duly respected.

39. The ASEAN countries attached great importance to the work of the Sixth Committee and welcomed the drafting of the draft comprehensive convention on international terrorism and the draft international convention on the suppression of acts of nuclear terrorism, which would contribute towards the enhancement of the existing legal framework. They intended to continue cooperating closely with other States in the Ad Hoc Committee with a view to reaching consensus on those two drafts.

40. At the regional level, the ASEAN countries had continued to strengthen their cooperation in the field of the counter-terrorism struggle. In particular, they had adopted a declaration in which they expressed their determination to implement the measures they had taken in order to prevent and suppress the activities of terrorist groups in the region, and had held several meetings on terrorist activities and tourism, money laundering, the financing of terrorism and transnational crime. They had stressed the need to tackle the root causes of terrorism and to reject all attempts to associate terrorism with any particular religion, race, nationality or ethnic group. They had also concluded an agreement designed to utilize existing ASEAN machinery to enhance national and regional capacities in the field of combating terrorism.

41. Cooperation at the interregional level had also been intensified. The ASEAN countries had recently adopted several joint declarations on security and cooperation in the struggle against international terrorism and transnational crime with the United States, China, the European Union and India, respectively, and had established a counter-terrorist activities centre for the Southeast Asia region. A ministerial meeting on transnational crime attended by the ASEAN countries, China, Japan and the Republic of Korea would be held in Thailand in January 2004 with a view to the further enhancement of the struggle against terrorism.

42. **Mr. Martirdsyan** (Armenia) said that the causes of terrorism were a matter not only of different regions but also of different common roots. Some believed terrorism to be the result of the chasm dividing "rich" from "poor" and thought that wealth had to be redistributed for the benefit of the poorest countries. Others saw it in terms of the conflict between modern and traditional societies. Faced with scientific and technological advances which vastly accelerated the integration of national economies within a single

global structure, countries had no choice but to adapt to the situation, taking advantage of whatever possibilities were open to them, or else to be thrust aside.

43. Adaptation to a rapidly changing world necessitated the adoption of new political and economic mechanisms designed to ensure development and the wellbeing of the population, but it also entailed the elimination of traditional groups and ideologies. Opposition to those processes was liable to arise not only within societies already involved in the process of economic integration but not yet ready to participate in world trade, but also, and especially, in traditional societies unable to find a place for themselves within the new world order. Sometimes such opposition took the form of a political and religious project, but it could also be reflected in violent clashes and could promote the emergence of terrorist movements, especially in traditional societies.

44. Two strategies were called for in combating terrorism. First, political decisions should be taken to encourage regimes that might be tempted to resort to terrorism to participate in the work of decision-making bodies. Secondly, while it was true that extremism and terrorism were political problems that had to be resolved by political means, the threat they represented were too serious to allow the world to wait for political solutions, which were often slow in coming. If necessary, they had to be combated by force.

45. It was essential to arrive at a universally accepted definition of terrorism, without which the goal of eliminating terrorism could not be attained. The international community led by the United Nations had to do everything in its power to promote democratic change and sustainable development in all parts of the world in order to eliminate the underlying causes of terrorism.

46. **Mr. Ri Mukongo Ngay** (Democratic People's Republic of Korea) said that terrorism was practised not only by groups or individuals but also by States. There was such a thing as State terrorism, which took the form of unilateral threats, sanctions, political pressures and the blacklisting of certain States that belonged to a supposed "axis of evil" and were designated to serve as targets of preventive nuclear strikes. The struggle against terrorism was turned into a pretext for attacks against sovereign States.

47. His delegation believed that specific measures had to be taken to tackle the root causes of terrorism and that it was for each State to decide upon the action it meant to take towards that end.

48. The developing countries had already defined the root causes of terrorism and had proposed the convening of an international conference on terrorism, the need for which was greater than ever today. The struggle against terrorism had to be founded upon multilateralism, and the United Nations had to play an essential role in that regard. All States Members of the United Nations had to respect the Organization and to abide by the principles of the Charter.

49. The Democratic People's Republic of Korea, which had always rejected all forms of terrorism, was convinced that the struggle against that evil could succeed only if the sovereignty of States, the right to development and the freedom of peoples were preserved. It cooperated actively with the United Nations by submitting regular reports on its activities in that field, and it intended to pursue its efforts to eliminate the root causes of terrorism in order to guarantee peace and security for all.

50. **Mr. Šahović** (Serbia and Montenegro) said that the struggle against terrorism, which as yet was far from won, should be conducted in full respect of the primacy of law and of human rights. Moreover, interest had to be taken in the multiple causes of terrorism, particularly those of an economic and social nature. His Government was convinced that the United Nations had a central role to play in the struggle against terrorism and that its actions should be coordinated with those of the competent regional and subregional organizations. Member States, however, bore the first responsibility for implementing the international agreements to which they had subscribed.

51. His country, for its part, had already joined 9 of the 12 international conventions on terrorism and was preparing to become a party to the remaining three. It was in favour of strengthening cooperation between the Counter-Terrorism Committee and regional and subregional organizations with a view to avoiding overlapping and waste. It duly reported to the Committee of the Security Council established by resolution 1267 (1999) and to the Counter-Terrorism Committee on its implementation of resolutions 1455 (2003) and 1373 (2001), respectively. Furthermore, it cooperated closely with other countries of the

subregion, as well as with the Stability Pact for South-Eastern Europe and with Interpol.

52. At the domestic level, the harmonisation of national laws with the framework of international law was in progress. In particular, it included the enhancing of control over financial transactions in the interests of preventing the financing of terrorism, which would soon become an offence under his country's Penal Code. A special unit for combating the financing of terrorism had been set up under a new law on the suppression of money laundering.

53. Notwithstanding all those efforts, Serbia and Montenegro continued to be exposed to acts of terrorism in the province of Kosovo-Metohija, where terrorism had links with organized crime, particularly trafficking in human beings, drugs and weapons. It was therefore incumbent upon the international authorities present in that province to take more energetic steps in combatting such activities. His Government hoped that the protocol on cooperation in police matters which it had signed with the United Nations Mission in Kosovo would prove useful in that respect.

54. With regard to the work of the Sixth Committee, his delegation hoped that agreement would be reached without delay on the draft comprehensive convention on international terrorism and the draft international convention on the suppression of acts of nuclear terrorism, which would supplement the existing framework if laws governing the counter-terrorism struggle. The drafts submitted by India and the Russian Federation, respectively, provided a sound basis for discussion.

55. **Mr. Gappoev** (Russian Federation) remarked that terrorism had become an inescapable reality, necessitating the creation of a worldwide system for the detection of terrorist threats and the adoption of appropriate steps to eliminate them. The system had to include reliable mechanisms in the political, financial, economic and military fields as well as in terms of information exchange.

56. He welcomed the strengthening of United Nations activities to combat terrorism and, in particular, the work of the Counter-Terrorism Committee established by the Security Council. That Committee's efforts to associate the relevant regional organizations with its activities were to be especially commended. Meetings organized by it, such as that for the promotion of regional cooperation held in Washington on 7 October, were extremely useful in that they enabled bodies such as the counter-terrorism centre of the Community of Independent States (CIS) and the anti-terrorist unit of the Shanghai Cooperation Organization to keep abreast of progress achieved on the world scale. The sustained dialogue established with organizations responsible for the control of weapons of mass destruction was also to be welcomed.

57. Stressing the importance of a framework of laws designed to enhance international cooperation in the field of counter-terrorism, he expressed the hope that the two draft conventions on terrorism would soon be finalized. He also hoped that a growing number of States would become parties to the international conventions on terrorism, adding that the Russian Federation was about to become a party to the Convention on the Marking of Plastic Explosives for the Purpose of Detection.

58. The international community would succeed in putting a stop to terrorism only if the coordination of certain essential tasks were entrusted to the United Nations. Those tasks included, in particular, improving the programmes for the indemnification of victims of terrorism; encouraging civil society and the media to participate actively in the counter-terrorism struggle; eliminating double standards from policies on terrorism; promoting inter-religious dialogue; improving the machinery for mutual legal assistance and extradition proceedings with a view to ensuring that the perpetrators of terrorist acts were brought to justice; and guaranteeing the right of everyone to be protected against terrorism.

59. **Mr. Mackay** (New Zealand), speaking on behalf of the States members of the Pacific Islands Forum, said that regional cooperation was a central element of the Forum countries' anti-terrorism struggle. In August 2002 those countries had adopted the Nasonini Declaration, which dealt with the prevention and suppression of terrorism and international crime as well as with threats to national integrity and independence. The Declaration was also intended to enhance cooperation towards more effective implementation of the law, the provisions of resolution 1373 (2001) and the special recommendations of the Financial Action Task Force on Money Laundering. A special working group had been set up to coordinate the preparation of a regional framework, including standard legislative provisions to combat terrorism and transnational crime. A regional initiative had been

launched with a view to enhancing the maintenance of order in the region and improving cooperation between police forces.

60. The Forum States were continuing their efforts towards the ratification of the 12 counter-terrorism instruments and the implementation of their provisions at both national and regional levels. They fully supported the work on the preparation of a draft comprehensive convention on international terrorism and a draft international convention on the suppression of acts of nuclear terrorism, whose adoption would help to reinforce the normative framework.

61. The fact remained that, for all their determination, many States in the region did not have sufficient capacity for effectively combating terrorism, and were in need of assistance in that regard.

62. Speaking on behalf of the New Zealand delegation, he announced that as soon as the counter-terrorism act at present before Parliament was adopted, his country would be in a position to accede to the Convention on the Physical Protection of Nuclear Materials and to the Convention on the Marking of Plastic Explosives for the Purpose of Detection, thus becoming a party to all 12 international conventions relating to terrorism, as well as to the Convention on the Safety of United Nations and Associated Personnel.

63. **Mr. Leon** (Brazil), associating himself with the statement made by Peru on behalf of the Rio Group, said that his country had ratified 9 out of the 12 international conventions on terrorism and should before long accede to the remaining three.

64. Despite the divergences still existing in connection with articles 2 bis and 18, it was a matter of urgency to complete the drafting of the comprehensive convention on international terrorism, which would form the basis needed for the establishment of a global legal regime for the implementation of the instruments in force. His country was also in favour of convening a high-level conference for the purpose of formulating a response on behalf of the international community as a whole, and supported the efforts of the working group on drafting an international convention for the suppression of acts of nuclear terrorism.

65. His country's laws were currently being revised with a view to enhancing the effectiveness of Brazil's contribution towards the international counter-terrorism struggle. In that context, his Government welcomed the work accomplished by the Counter-Terrorism Committee, with which it would continue to collaborate.

66. Brazil also participated in the anti-terrorist struggle at the regional, subregional and continental levels. A special working group had been established within the framework of MERCOSUR with a view to developing a joint strategy for the region. At the level of the South American continent, Brazil had signed and would shortly ratify the Inter-American Convention against Terrorism dealing with the prevention of the financing of terrorist acts, the strengthening of frontier controls, and cooperation in the field of law implementation.

67. In conclusion, he reminded Committee members that poverty, ignorance, despair and exclusion were the mainsprings of terrorism.

68. **Ms. Knowles** (Australia) recalled that about a year previously, 88 Australians had lost their lives and 202 had been wounded in the Bali terrorist bombing. Since then, the terrorists had by no means laid down their arms. On the contrary, they continued to wreak havoc all over the planet. The United Nations itself had not been spared.

69. In combating the scourge of terrorism, her Government, which associated itself fully with the statement made by the representative of New Zealand on behalf of the Pacific Islands Forum, had set up a network of bilateral counter-terrorism agreements with Governments in the region in order to facilitate cooperation between police, security and information services as well as between authorities responsible for customs, immigration, transport and financial operations. Australia was also assisting countries of the region to enhance their capacities for combating terrorism in the fields of law enforcement, border administration, transport security, information and the reinforcement of the arsenal of laws.

70. So far as regional initiatives were concerned, Australia had co-organized with Indonesia in December 2002 a conference on the struggle against money laundering and the financing of terrorism, which supplemented the work of the Asia-Pacific Group, co-chaired by Australia and the Republic of Korea. In February 2004 her country would co-organize, again with Indonesia, a regional ministerial conference on counter-terrorism, to be held in Bali. It was also engaged in other initiatives within regional

forums such as APEC, ASEAN and the Pacific Islands Forum.

71. However great the importance of regional initiatives, concerted action at world level was still called for, and the United Nations was the place for such action. Her country firmly supported the work of the Counter-Terrorism Committee and the Committee on Sanctions established pursuant to resolution 1267. It would look with favour upon the forming of a small permanent secretariat of the Counter-Terrorism Committee, to be financed within the limits of available resources.

72. In conclusion, the expressed the hope that divergences of views existing in the Sixth Committee could be speedily overcome so that the draft comprehensive convention on terrorism and the draft international convention on the suppression of acts of nuclear terrorism might be adopted.

73. **Mr. Lavalle-Valdés** (Guatemala) said that terrorists had access to impressive financial and technical resources and even to the support of certain Governments. That was why extradition treaties and cooperation agreements between judiciary and police authorities, although indispensable, remained insufficient. Only a well-conceived international judiciary centre could make the effective struggle against terrorism a reality. But the two draft conventions before the Committee were in a state of deadlock, essentially for political reasons. The need to surmount the divergences of views that stood in the way of the successful conclusion of the negotiations and the early adoption of the two drafts could not be over-emphasized.

74. **Mr. Al-Emadi** (Qatar) said that States had to fight terrorism collectively and to mobilize themselves at the international level under the auspices of the United Nations, the authority best placed to take up with determination and efficacy the challenge to the whole of mankind that terrorism represented.

75. The definition of terrorism and the drafting of a comprehensive convention were not purely theoretical matters. A clear and full definition would make it possible to delimit the phenomenon in all its forms and manifestations. In the definition it adopted, the international community must take care to distinguish between terrorism and the legitimate struggle of people against occupation and their right to self-determination.

76. The international community was, of course, duty bound to everything in its power to ensure that wanted terrorists were brought to justice, but it must also endeavour to tackle the root causes of terrorism. Thus, it should work actively towards resolving political problems at the international level, ensure a more equitable distribution of wealth, attenuate poverty, reduce economic differences between States and combat ignorance, which encouraged terrorism. His country, which was a party to many international anti-terrorism conventions, was in favour of holding an international conference under the auspices of the United Nations for the purpose of defining the phenomenon of terrorism in all its forms and manifestations and of facing up to its causes.77. **Mr. Al-Salehi** (Oman) said that international terrorism was not peculiar to any particular region, race or religion but was the result of the way in which the international situation had developed in the past few years.

78. In order to combat the threat to international peace and security that terrorism represented, it was necessary to enhance international cooperation and to investigate the causes of terrorism. In particular, consideration should be given to assigning additional resources to the least advanced countries in order to help them to combat the scourge of terrorism.

79. His delegation, which had always firmly condemned terrorism, could not help noting that certain States were taking advantage of the present situation to serve their narrow interests and did not hesitate to commit open violations of the Charter. For that reason, there was an imperative need to agree on a definition of terrorism that would clearly establish the difference between acts of terror and the legitimate struggle of peoples for self- self-determination or against foreign domination.

80. **Mr. Morshed** (Bangladesh) said that his country, which attached great importance to the struggle against terrorism, had adopted many measures to contribute towards the elimination of the threat it represented. At the international level, it had become a party to the international instruments relating to terrorism, adopted the legislative procedures needed for their domestic implementation, and was on the point of depositing its instruments of ratification with the United Nations. National courts could now implement the provisions of the ASEAN Convention on the suppression of terrorism, signed in 1997. Bangladesh had also

undertaken to contribute towards the drafting of a protocol to that convention.

81. At the national level, Parliament had adopted acts on money laundering consistent with the objectives of the International Convention on the Suppression of the Financing of Terrorism. Since any amendment to the national laws involved a revision of the Penal Code, his country would appreciate technical assistance both in updating its old laws and in drafting new ones.

82. Terrorism was the product not only of poverty and exploitation but also of feelings of persecution and injustice. His delegation considered, therefore, that an exclusively military response could not eliminate the deeper causes of the phenomenon. Poverty, unemployment and inequalities had to be tackled at the same time.

83. His delegation associated itself with the Working Group's recommendation that work be continued on the drafting of the comprehensive convention on international terrorism and of the international convention on the suppression of acts of nuclear terrorism. It was important to arrive at a widely accepted definition of terrorism, and the convening of a high-level international conference would also be extremely useful in that respect.

84. **Mr. Mukongo Ngay** (Democratic Republic of the Congo) said that the effectiveness of the struggle against terrorism depended on each State's commitment to accede to international conventions and to take steps to ensure their full implementation at the national level.

85. With that end in view, and in pursuance of resolution 1373 (2001), a national committee for the coordination of the struggle against international terrorism had been established in his country. Measures were to be taken shortly to revise and harmonise the domestic laws, particularly as regards cooperation, information exchange and mutual judicial assistance.

86. His country had acceded to a number of United Nations conventions and protocols dealing with the anti-terrorism struggle, and had also become a party to the OAU Convention on the Prevention and Suppression of Terrorism. Consultations were in progress with a view to the ratification of those conventions to which the Democratic Republic of the Congo was not yet a party.

87. The process of incorporating certain conventions and protocols in domestic law had already begun, in particular with a view to establishing the competence of national courts to judge the perpetrators of acts of international terrorism and to make international terrorism an offence within the meaning of articles 145 to 160 of the new Code of Military Justice. A bill on the financing of terrorism and money laundering had also been drafted recently.

88. In response to the request for assistance formulated in his country's first report to the Counter-Terrorism Committee, the United Nations Centre for International Crime Prevention had organised a two-day technical seminar for members of the national committee for the coordination of counter-terrorism measures. His country would appreciate other initiatives of the same type in the fields of technical, financial and procedural assistance with a view to enhancing the national committee's capacity to coordinate the implementation of all international conventions on terrorism in collaboration with the commission for the reform of Congolese law and with the national authorities concerned.

89. Efforts towards the drafting of an international convention on the suppression of acts of nuclear terrorism should be continued, as well as those towards the preparation of a comprehensive convention on international terrorism that would draw a clear distinction between blind acts of terrorism and the struggle of peoples against foreign occupation.

90. Referring to article 18 of the draft comprehensive convention, he remarked that the disagreements on that score reflected the diversity of views on terrorism. For some, it was something that could only be practised by individuals or by isolated groups, while for others, the concept of terrorism included large-scale operations conducted for political ends and with more serious consequences by certain States. The activities of the armed forces of States should always be carried out in conformity with the Charter and international humanitarian law.

91. In conclusion, he stressed the importance of the draft international convention on the suppression of acts of nuclear terrorism, which would represent a major addition to the existing instruments, thus greatly enhancing the framework of international law in the field of terrorism.

92. **Mr. Latheef** (Maldives) remarked that terrorist networks were becoming more and more organized and were using increasingly sophisticated methods. No country, however powerful, could feel safe or hope to deal with the problem of terrorism on its own. The suffering and destruction that terrorists were able to wreak in major countries were a measure of the threat they posed to smaller and less powerful ones. It was therefore imperative that the international community should help those countries to enhance their institutional capacity and should provide them with the technical assistance they needed in order to participate in the counter-terrorism struggle.

93. His country had taken the requisite measures to adapt its domestic legislation and was a party to many of the international and regional conventions on terrorism. Procedures for accession to the instruments to which Maldives was not yet a party were in progress.

94. Commending the Security Council and the Counter-Terrorism Committee for their efforts to promote the full implementation of resolution 1373 (2001), he expressed the hope that the draft comprehensive convention on terrorism and draft international convention on the suppression of acts of nuclear terrorism would soon be adopted.

95. **Mr. Al-Emadi** (Libyan Arab Jamahiriya) noted the international community's efforts to take effective measures against terrorism. His country, for its part, had extensively participated in those efforts at the international, bilateral and regional levels. Indeed, it had been a precursor by denouncing terrorism in the mid-1970s as a dangerous phenomenon that had to be suppressed before the situation got out of hand.

96. His country's position of principle in the matter derived from the fact that it had long been a victim not only of acts of terrorism committed by groups and individuals, but also of State terrorism, of which many other States and the Palestinian people were victims today. The Governments responsible for State terrorism had justified it by saying that it was not they but the Jamahiriya that was committing acts of terrorism or encouraging others to commit them. State terrorism assumed many forms, including that of the iniquitous unilateral sanctions that were contrary to the principles of international law. In some cases, in complete defiance of international legality and the rules of international law, State terrorism went as far as the recourse to armed force. While the Jamahiriya, long before anyone else, had insisted that the terrorists be brought to justice, others had supported them and treated them as freedom fighters. Many States had offered them asylum and encouraged them to commit terrorist acts.97. His country had acceded to the 12 international and the two Arab and African counter-terrorism conventions. It participated actively in the work of the Sixth Committee, its Working Group and the Ad Hoc Committee entrusted with the drafting of a comprehensive convention against international terrorism and an international convention on the suppression of acts of nuclear terrorism. In that connection, the Jamahiriya had called for a precise definition to be made of the act constituting a punishable offence under international law and for a distinction to be drawn between terrorism and the legitimate struggle of peoples in defence of their universally recognized right to self-determination and freedom from foreign domination and occupation. His delegation supported the position of the Organization of the Islamic Conference as set forth in draft article 18 of the draft comprehensive convention before the Ad Hoc Committee.

98. His country had cooperated fully with the Counter-Terrorism Committee, to which it had submitted the requisite reports, and was determined to continue such cooperation in order to help the Committee to achieve its goals. It believed in the importance of conducting an objective study of the root causes of the emergence and expansion of international terrorism, and suggested that such a study should form the subject of an item on the agenda of the special session of the General Assembly to be held in response to the request of the Jamahiriya and other countries.

99. **Mr. Samy** (Egypt), associating himself with the statement made by the representative of Iran on behalf of the countries members of the Organizations of the Islamic Conference, said that concerted efforts were essential if the struggle against terrorism were to succeed. Closer international cooperation was needed in order to bring to justice the perpetrators of terrorist acts. But the struggle against terrorism must be conducted in full respect of State sovereignty and the rule of international law, including international humanitarian law.

100. Strengthening the dialogue between civilisations and religions was, in his opinion, especially important. The United Nations was best placed to play the role of

a catalyst in that regard. Experience had shown that the practice of terrorism was not confined to any one culture or religious tradition. It was therefore important not to tackle the problem from the narrow standpoint of security but, rather, to adopt an approach covering all the dimensions of the phenomenon, while at the same time categorically rejecting any attempt to "whitewash" terrorism.

101. Ever since 1995 Egypt had launched high-level consultations with a view to the holding of a conference against terrorism that would not be confined to sterile debates but would result in a binding instrument in which the limits of State responsibility would be clearly defined. The fight against terrorism must not be targeted on certain religions and cultures under the pretext of their "difference". Furthermore, a distinction must be drawn between acts of terrorism condemned by the international community and the legitimate struggle of peoples for self-determination.

102. In conclusion, he called upon the international community to live up to its responsibilities and reaffirmed his country's readiness to participate in all efforts that might be undertaken in the field of the fight against terrorism.

103. **Mr. Adamou** (Niger) said that his country had taken steps to reinforce the security of embassies, offices of international organizations and airports. An Act was currently being drafted that would enable the protection of diplomatic missions and representations to be systematised.

104. At the international level, his country had signed or ratified most of the legal instruments relating to terrorism.

105. At the bilateral level, it had concluded judicial cooperation agreements with the neighbouring States and with most of its partners. Besides those formal agreements, intense cooperation had developed between his country's police, customs, army and gendarmerie, on the one hand, and their opposite numbers in the countries which were Niger's principal bilateral and multilateral partners.

106. As several speakers had pointed out, terrorism was kept alive by such factors as poverty, ignorance and illiteracy. It was therefore important that the international community adopt a global approach to the problem and be mindful of the needs and proposition of the poorest countries. The success of the counter-terrorism struggle presupposed the enhancement of national capacities at both the financial and the institutional levels.

107. **Mr. Kazykhanov** (Kazakhstan) commended the Security Council and its Counter-Terrorism Committee on all they had done to ensure the full implementation of resolution 1373 (2001). It was encouraging to note that the great majority of States Members had acceded to the 12 international conventions relating to terrorism or were on the point of doing so. His delegation considered, nevertheless, that those instruments had only limited scope and deplored the slowness of progress made in drafting an international convention on the suppression of acts of nuclear terrorism and a comprehensive convention on international terrorism.

108. In parallel with efforts to set up effective international machinery, the work of in-depth analysis of the prime causes of terrorism should be continued. In that connection, he took the view that the supposed "Islamic threat" was a myth of an extremely dangerous kind. While it was true that in certain Arab or Asian countries international terrorism was trying to hide behind the precepts of Islam, his delegation was firmly convinced that terrorism had nothing in common, at the social or ideological level, with Islam, which, like the planet's other great religions, attached the greatest value to human life.

109. The promotion of a dialogue between civilisations and religions was a matter of the greatest importance in producing a culture capable of ensuring peace and stability. With that aim in view, his country had organized the first congress of political and religious leaders in September 2003.

110. Kazakhstan also participated in other regional or international initiatives, such as the Conference and security measures in Asia, the work of the Shanghai Cooperation Organization and the establishment of a counter-terrorism centre of the Community of Independent States. His country stood ready to provide the Counter-Terrorism Committee with any support it might need in combating terrorism in all its forms and manifestations.

The meeting rose at 6.10 p.m.